

Docket No.: F-8079

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

By: 

Date: February 1, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chris Ricci  
Applic. No. : 10/017,636  
Filed : November 21, 2001  
Title : Method for Distributing and Licensing Digital Media  
Attention : Office of Petitions

PETITION UNDER 37 C.F.R. 1.10(c)

Hon. Commissioner of Patents and Trademarks,  
Washington, D. C. 20231

Sir:

The facts leading to this petition are as follows:

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PETITIONS OFFICE

The above-identified application was filed by the "Express Mail Post Office to Addressee" service of the US PS by virtue of deposit on November 21, 2001. Therefore, the filing date accorded to this application by the Office should be November 21, 2001. However, the postcard which accompanied the application was returned by the PTO with an incorrect filing date of December 18, 2001.

Enclosed herewith, in accordance with Rule 1.10 (c), is:

- a copy of the cover sheet accompanying the application papers with a mailing certificate under 37 C.F.R. 1.10 properly executed on November 21, 2001;
- a copy of an Internet Print-Out of the US PS certifying that the papers mailed under Express Mail Label No. EL758653362US were accepted at the Post Office on November 21, 2001.
- a copy of the postcard
- a declaration by the mail clerk

In view of the foregoing, applicants request that the filing date be corrected to show  
November 21, 2001

I hereby declare that the foregoing facts have been stated on a personal knowledge basis and that the above-noted paper was submitted timely in accordance with the rules and regulations. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
For Applicant

LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: February 1, 2002

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101  
/bb

Docket No.: F-8079

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chris Ricci  
Applic. No. : 10/017,636  
Filed : November 26, 2001  
Title : Method for Distributing and Licensing Digital Media  
Attention : Office of Petitions

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DECLARATION

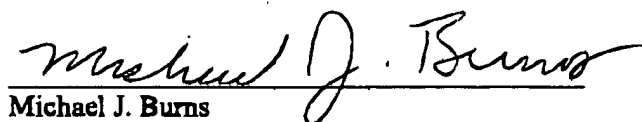
TO ACCOMPANY PETITION UNDER 37 C.F.R. 1.10(c)

PETITIONS OFFICE

I, Michael J. Burns, hereby declare that:

- ❖ I have first-hand knowledge that the above-identified application was sent by Express Mail to the Patent and Trademark Office on November 21, 2001.
- ❖ I personally signed the mailing certificate on the cover sheet which accompanied the new US application.
- ❖ I have reviewed the pertinent pages of the outgoing mail log for November 21, 2001, and the pages show that the enclosed papers were indeed mailed by Express Mail on that date.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Michael J. Burns

Date: February 1, 2002

**POCKET NO. F-8079..... Mailed November 21, 2001**

**APPLIC. NO. .... Express Mail EL758653362US.**

The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

☒ App. pgs 27 ☒ Rule 53b New ☐ Contla ☐ Div ☐ CIP ☐ Rule 53c Prov. ☐ Rule 53d CPA ... RCE ☐  
☐ CIP ... pgs ☐ Design ☒ 5 Dwgs ☒ Declaration ☐ Mailing Certif.  
☐ Priority Claim ☐ Cert. Prior. Doc(s) ☐ PCT Cover Sheet WO .....  
☐ Amend pgs ... ☐ Prel. Amend pgs ... ☐ Letter  
☐ Response pgs ... ☐ 37CFR1.116 ☐ Not. of Appeal  
☐ Brief pgs ... ☐ Appndx pgs ... ☐ I.D.S. + ... Refs.  
☐ Assoc Pwr of Atty ☒ Credit Card \$ 525.00  
☐ Pet. for Ext ... Mo. ☐ Pet. ... ☐ Check \$ ...  
☐ Issue Fee ☐ Assignment ☐ PTOL ...  
☐ Cert. Trans. ☐ Cert. of Corr. ☐ File rec. corr

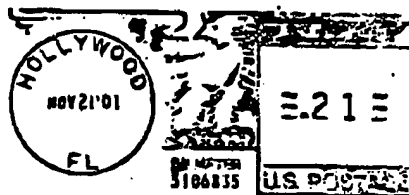
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**LERNER AND GREENBERG, P.A.**  
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**LERNER AND GREENBERG, P.A.**  
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Fax: (954) 925-1101Herbert L. Lerner (NY Bar)  
Laurence A. Greenberg (FL Bar)

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Ralph E. Locher (FL, IL, MO Bars)  
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Mark P. Weichselbaum (TN Bar)  
Gregory L. Mayback (FL Bar)  
Markus Nolff (FL Bar)  
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Otto S. Kauder (Reg. Pat. Agent)  
Denise A. Lertau (DC Bar)PATENTUSA<sup>SM</sup>  
www.patentusa.com  
patents@patentusa.comMailing Address:  
Post Office Box 2480  
Hollywood, FL 33022-2480New York Office  
153 E 57th Street  
Suite 15G  
New York, NY 10022"Express Mail" mailing label number: EL758653362US  
Date of Deposit November 21, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and  
is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Docket No.: F-8079

  
MICHAEL BURNS

Date: November 21, 2001

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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Sir:

PETITIONS OFFICE

Enclosed herewith are the necessary papers for filing the following application for Letters  
Patent:

Applicant : CHRIS RICCI

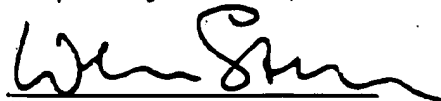
Title : METHOD FOR DISTRIBUTING AND LICENSING DIGITAL MEDIA

5 sheets of formal drawings.

The payment in the amount of \$505.00 covering the filing fee (applicant is eligible for small  
entity status).

The Patent and Trademark Office is hereby given authority to charge Deposit Account No.  
12-1099 of Lerner and Greenberg, P.A. for any fees due or deficiencies of payments made  
for any purpose during the pendency of the above-identified application.

Respectfully submitted,

For Applicant  
LAG:cpWERNER H. STEMER  
REG. NO. 34,956

Docket No.: F-8079

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper for Application No. 09/714,582 is being facsimile transmitted to the Patent and Trademark Office on the date shown below.



Signature

Oct. 16, 2003

Date

UNITED STATES IN THE PATENT AND TRADEMARK OFFICE

Applic. No. : 10/017,636 Confirmation No: 6396  
Applicant : Chris Ricci et al.  
Filed : November 21, 2001  
Art Unit : 2152

Docket No. : F-8079  
Customer No.: 24131

Attention : Office of Petitions

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PETITIONS OFFICE

LETTER

Hon. Commissioner for Patents,  
Alexandria, VA 22314-1550

Sir:

Upon a telephonic inquiry at the Petitions Office regarding the status of the Petition under 37 CFR 1.10(c) filed in the Patent Office on February 15, 2002, a member of counsel's staff was informed that the Petition had not been received in the Patent Office.

As a courtesy to the Office of Petitions, enclosed please find a copy of the Petition as originally submitted to the Patent Office on February 1, 2002 as well as a copy of the return receipt postcard indicating that the Petition was received in the Patent Office on February 15, 2002.

Undersigned counsel requests that the filing date be corrected and that counsel be notified of the correction.

Respectfully submitted,



For Applicants

WERNER H. STEMER  
REG. NO. 34,956

Date: October 16, 2003

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101

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DOCKET NO. *F-8079* ..... Mailed *February 1, 2002*  
APPLIC. NO. *10/017,636* ..... Express Mail .....  
The stamp of the Patent Office hereon may be considered the date on which  
papers indicated below were received.

Applic pgs ... Rule 53b New ☐ Contin ☐ Div ☐ CIP ☐ / Rule 53c Prov. ☐ / Rule 53d CPA ... RCE ☐  
☐ CIP ... pgs ☐ Design ☐ ... Dwgs ☐ Declaration ☒ Mailing Certif.  
Priority Claim ☐ Cert. Prior. Doc(s) ☐ PCT Cover Sheet WO .....  
☐ Amend pgs ... ☐ Prel. Amend pgs ... ☐ Letter  
☐ Response pgs ... ☐ 37CFR1.116 ☐ Not. of Appeal  
☐ Brief pgs ... ☐ Appndx pgs ... ☐ I.D.S. + ... Refs.  
☐ Assoc Pwr of Atty ☐ Credit Card \$ .....  
☐ Pet. for Ext ... Mo. *10* ☐ Check \$ .....  
☐ Issue Fee ☐ Assignment ☐ PTOL .....  
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